

REMARKS

The office action of August 1, 2003, has been carefully considered.

It is noted that claims 1-11 are rejected under 35 U.S.C. 103(a) over the patent to Willingham in view of the patent to Kim.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references and particularly to the patent to Willingham, it can be seen that this reference discloses an industrialized building construction. Willingham does not teach a production chamber which is configured for use for surface treating, coating or finishing construction elements. Furthermore, there is no teaching by Willingham of production chambers that are arranged successively closely adjacent one another or that are configured to be connectable to a vacuum source, as in the presently claimed invention. The Examiner cites column 47, lines 5-10 of Willingham as teaching stationary and detachable chamber parts. Applicant has read this passage and only finds a discussion

concerning the installation of electrical conduits. There is absolutely no discussion of stationary or detachable chamber parts. Furthermore, the configuration of the production chambers to be connectable or connected to a vacuum source is a structural limitation. The limitation requires that the production chambers be constructed in a specific way, which is not taught or discussed by Willingham. The act of connecting the chamber to a vacuum source would be a functional limitation. Such an act is not being claimed. Still furthermore, Willingham makes no mention of a metallic skin for any purpose.

The patent to Kim discloses a structural member with a metal shell. The Examiner combined this reference with Willingham in determining that claims 1-11 would be unpatentable over such a combination. Applicant respectfully submits that there is no motivation to combine the references to arrive at the presently claimed invention. There is nothing in the teachings of either of these references that suggests production chambers as constructed in the claims presently on file. The Examiner's position that the references teach such a construction is merely conjecture and is not based on any actual teaching in the references. The only way the references can in any way be considered to have any teaching relevant to the present invention would be based upon

impermissible hindsight. Without the use of hindsight no one skilled in the art would take anything away from the teachings of either Willingham or Kim that would suggest the present invention. The Examiner bases his rejection on generalizations rather than on what the references actually teach.

In view of these considerations it is respectfully submitted that the rejection of claims 1-11 under 35 U.S.C. 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By

F. Kueffner

Friedrich Kueffner
Reg. No. 29,482
317 Madison Avenue, Suite 910
New York, New York 10017
(212) 986-3114

Dated: January 30, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on January 30, 2004.

By:

F. Kueffner

Friedrich Kueffner

Date: January 30, 2004